

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 22, 2019

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Hayes, Mrs. Mora Dillon, Mr. Misertino, Deputy Mayor Farino

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Hayes made a motion to approve the passage of the minutes from the Regular Meeting held on May 8, 2019, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mr. Misertino, Deputy Mayor Farino

Nays: None

Absent: Mayor Watters

Abstain: None

Mr. Hayes made a motion to approve the passage of the Executive Session minutes from May 8, 2019, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon, Deputy Mayor Farino

Nays: None

Absent: Mayor Watters

Abstain: None

BILL LIST:

Mr. Hayes made a motion to approve the Bill List minus PO 19-00528, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Misertino, Deputy Mayor Farino

Nays: None

Absent: Mayor Watters

Abstain: Mrs. Mora Dillon

Mr. Hayes made a motion to approve payment for PO 19-00528 only, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon

Nays: None

Absent: Mayor Watters

Abstain: Deputy Mayor Farino

CLERK'S REPORT:

Ms. Hrebenak reported the energy contract price is now .083. Deputy Mayor Farino stated it was a better rate than JCP&L.

Deputy Mayor Farino made a motion to approve executing the contract paperwork, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon, Deputy Mayor Farino  
Nays: None  
Absent: Mayor Watters  
Abstain: None

Ms. Hrebenak stated she needs to give an answer to the webmaster regarding the rebuild of the website. Mr. Misertino stated he thought the webmaster would make a prototype on the new platform for the committee's review. Mr. Hayes concurred. Ms. Hrebenak will contact the webmaster to give a presentation of the options to the committee.

#### FINANCE REPORT:

Mrs. Mollineaux stated that the budget is on for approval of the Township Committee tonight.

Mrs. Mollineaux reported that there is a bill still outstanding for Quality Roofing and inquired if this something that we are holding. Deputy Mayor Farino stated it's on hold due to the cracked skylight. The company is supposed to replace the skylight.

#### EMPLOYEES' REPORTS:

Mrs. Fascenelli would like to schedule the Electronics Collection Event on November 23, 2019, from 8:30 am to 12:30 pm at the Public Works Building with Advanced Recycling, the company we used in the past. Their daily charge is \$1,750 plus \$20 for anything containing Freon. The Township would recoup \$15 from residents that would go toward that money.

Mr. Hayes made a motion to approval the Electronics Collection Event, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon, Deputy Mayor Farino  
Nays: None  
Absent: Mayor Watters  
Abstain: None

Mrs. Fascenelli also reported about the cardboard container located in the lower parking lot of the Municipal Building. The company, Trinity, used to pay the Township for collection for several years, then they would collect it without charging us to swap out the container. But due the recycling situation with China, they will need to charge us \$250 to swap, and Mrs. Fascenelli wasn't sure how much we would be charged for the tonnage. She suggested we continue the service and pay for it out of the Tonnage Grant. It can be claimed on the Tonnage Report, but now there will be a fee associated with it. Mrs. Fascenelli also stated that when the container was full, there was an incident where an individual put the cardboard on the ground next to the container. A Mansfield Police Officer did speak to the individual about it. A notice will be placed in the Newsletter to deter placement of cardboard on the ground. Mr. Misertino asked about the pick-up, which Mrs. Fascenelli stated is about every 3 to 4 months and the DPW compacting it 4 or 5 times. Mr. Misertino estimated the yearly cost would be \$1,000 and Mrs.

Fascenelli confirmed there is enough in the Tonnage Grant to cover it. Mr. Misertino also wanted information about the cardboard recycling be put on the website.

Mrs. Fascenelli reported the County will hold their 2<sup>nd</sup> Household Hazardous Waste Collection on October 1, 2019, from 8 am to 12 pm. A notice will be posted in the Municipal Building Lobby.

#### ENGINEER'S REPORT:

Mr. Kastrud reported the Tax Maps are printed and will be brought to the Municipal Building tomorrow.

The paperwork has been submitted to the state for the grants for Heiser and Watters Roads which have been inspected and approved. The final vouchers have to be filled out and sent so we can receive the final 25%.

The ADA Compliance for the sidewalks should be done in about a week.

Local Aid Grant for 2019 for Airport Road– Mr. Kastrud will confer with Mr. Snyder to determine whether they will go through the bidding process or go with the Morris County Co-Op. Mr. Kastrud stated we have until 2021 to award it.

Mr. Kastrud will speak with Mr. Snyder to go over the Road Assessment and Inventory Plan. Each road will get a rating. The application deadline is July 19, 2019.

#### PUBLIC PORTION:

Deputy Mayor Farino opened the floor for public comment.

Terri Nooner, 46 Winchester Ave, spoke to the Township Committee in reference to her concerns with houses around her and questioned tree maintenance and if this is the responsibility of the homeowner.

Mr. Hayes stated that the trees are the responsibility of the homeowner.

Mr. Kastrud said that he would look at the properties that were of concern.

Deputy Mayor closed the public portion at this time.

#### MOTION TO APPROVE USER FRIENDLY BUDGET

Mr. Hayes made a motion to approval the User Friendly Budget, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Deputy Mayor Farino

Nays: None

Absent: Mayor Watters

Abstain: Mr. Misertino

#### ADOPTION OF 2019 MUNICIPAL BUDGET

Mr. Hayes made a motion to approval the Municipal Budget 2019-75, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Deputy Mayor Farino  
Nays: None  
Absent: Mayor Watters  
Abstain: Mr. Misertino

RESOLUTION:

**TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY**  
**RESOLUTION # 2019-88**

**TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159**

**WHEREAS**, N.J.S.A. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount; and

**WHEREAS**, the Township of Mansfield will receive \$ 5,500.00 for a Distracted Driving and wishes to amend its 2019 budget to include a portion of this amount as a revenue

**NOW, THERE, BE IT RESOLVED** that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$5,500.00 that is now available as revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with Prior Written Consent  
Of the Director of Local Government Services:  
Public and Private Revenues Offset with Appropriations:  
Distracted Driving Enforcement Grant

**BE IT FURTHER RESOLVED**, that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations  
Operations – Excluded from caps Public and Private Programs  
Offset by Revenues:  
Distracting Driving Enforcement Grant

**BE IT FURTHER RESOLVED**, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

**RESOLUTION NO. 2019-89  
TO AUTHORIZE THE REFUND OF PROPERTY TAXES  
DUE TO DISABLED VETERAN STATUS OF THE OWNER**

**WHEREAS**, William Critchley is the owner of real property located 11 Middle Lane East, known as Block 1501.02 Lot 6, within the Township of Mansfield, County of Warren, State of New Jersey; and

**WHEREAS**, William Critchley has been declared a 100% disabled American Veteran by the United States government as defined in NJSA 54:4-3.30 et seq.; and

**WHEREAS**, William Critchley has, as of, January 9, 2019, applied to the Tax Assessor of the Township of Mansfield, County of Warren, State of New Jersey, on the appropriate application and with the supporting documentation to support said application to the satisfaction of the Tax Assessor; and

**WHEREAS**, NJSA 54:4-3.30 et seq. requires a municipality to grant tax exemption to those qualifying in accordance with its terms; and

**WHEREAS**, NJSA 54:4-3.32 authorizes the 2019 refund of taxes paid from the qualifying date of the exemption, March 11, 2019;

**WHEREAS**, the total tax due for 2019 is estimated to be \$925.38 and the total paid was \$463.15;

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, the Tax Collector has hereby authorized to refund the following: \$288.22.

**RESOLUTION # 2019-90  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE/PURCHASE  
AGREEMENT FOR ONE (1) POLICE VEHICLE**

**WHEREAS**, the Township Committee desires to obtain one (1) 2020 Ford Police Interceptor, and

**WHEREAS**, this vehicle is essential for the Mansfield Township Police Department to perform police functions; and

**WHEREAS**, the Township of Mansfield desires to lease/purchase said vehicle; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in 9-01-45-941-

0000-2000 in the 2019 budget and future budgets, subject to adoption.

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Mansfield, Warren County, State of New Jersey, authorize the procurement of one (1) 2020 Ford Police Interceptor with a cost not to exceed \$ 44,635.00, lease purchase terms of 3 annual payments not to exceed

**RESOLUTION 2019-91  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, NEW JERSEY**

**AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT WITH POLICE  
CHIEF MICHAEL REILLY**

**WHEREAS**, the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey finds and declares that it is in the best interests of the citizenry of the Township of Mansfield to continue to retain the services of the Police Chief Michael Reilly pursuant to a written agreement; and

**WHEREAS**, the Township Committee further finds and declares that Michael Reilly possess the experience, judgement, and aptitude necessary to continue to provide services to the Township of Mansfield as Police Chief; and

**WHEREAS**, the Township Committee further finds and declares that the Township has negotiated a written employment agreement with Michael Reilly for the provision of services as aforesaid; and

**WHEREAS**, the Township Committee further finds and declares that it is in the best interests of the citizenry of the Township to authorize the execution of the employment agreement with Police Chief Michael Reilly:

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Mansfield does hereby authorize employment agreement. Said agreement will remain on file in the Township's Clerk's office.

Mr. Hayes made a motion to approval Resolutions 2019-88-91, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon, Deputy Mayor Farino

Nays: None

Absent: Mayor Watters

Abstain: None

FIRST READING ORDINANCE:

**ORDINANCE NUMBER 2019-04**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY APPROPRIATING \$200,000.00 FOR THE COMPLETION OF PHASE III AT THE MT. BETHEL CHURCH**

**WHEREAS**, there is a need to complete Phase III at the Mt. Bethel Church;  
**BE IT ORDAINED**, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

- The amount of \$50,000.00 is hereby appropriated from the Open Space Trust Fund and \$150,000.00 is hereby appropriated from the Warren County Open Space, Recreation, Farmland and Historic Preservation Trust Fund.
- There is no debt incurred by this Ordinance.
- This ordinance shall take effect immediately after final passage, approval, publication as provided by law.

The above ordinance was introduced for First Reading by the Mayor and Township Committee of the Township of Mansfield at a meeting held on May 22, 2019 and Final Adoption at a Public Hearing to be held on June 26, 2019, at 8:00 pm at the Municipal Building in and for said Township, at which time the public may comment.

Mr. Hayes made a motion to introduce Ordinance 2019-04 with the hearing date of June 26, 2019, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Deputy Mayor Farino  
Nays: Mr. Misertino  
Absent: Mayor Watters  
Abstain: None

Mr. Hayes made a motion to enter into Executive Session at 7:56 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon, Deputy Mayor Farino  
Nays: None  
Absent: Mayor Watters  
Abstain: None

EXECUTIVE SESSION: Personnel, Contractual

Deputy Mayor Farino requested roll call to return to Regular Meeting after Executive Session.

Ayes: Mr. Hayes, Mr. Misertino, Mrs. Mora Dillon, Deputy Mayor Farino  
Nays: None  
Absent: Mayor Watters  
Abstain: None

Township Attorney Michael Lavery stated the following three matters were discussed in Executive Session:

Personnel Matter, Contractual Matter dealing with Kunzman Construction, and Attorney/Client privilege matter

pertaining to Mt. Bethel. No action was taken at this time.

COMMITTEE PERSON COMMENTS:

Mrs. Mora Dillon spoke to the Township Committee in reference to two requests for field usage.

First, is a soccer group for their two-week summer clinic program. Our ordinance charge for outside groups is \$200 per week as long as it's made up with 80% Mansfield kids and they get a discounted rate. They wanted to use our fields, have us to paint their lines, use our nets, and provide Port-A-Johns. Mrs. Mora Dillon told them no to all. Mr. Misertino stated the group would have to pay for the Port-A-Johns. Mr. Misertino suggested we find out which fields they want to use because our soccer programs switch between Kensington and Comcast. They've used our fields before, but never paid us. After further discussion, all agreed to allow the summer clinic program, but they would be responsible for taking care of all of what they needed.

Second, a religious group wants to use the park for a concert for a few days. The group went to Township last year and Brian reached out to them and learned the group was fine. Discussion occurred about what our Township would be responsible for. Mrs. Mora Dillon was concerned that our fee structure isn't set up for something like this. Mr. Misertino stated that the ordinance to rent the fields is for sports rentals and not for other events. All agreed to deny this request.

Deputy Mayor Farino spoke to the Township Committee in reference to the Lot Cop usage at Wal-Mart. If a vehicle approaches it, the lights flash and an audio warning sounds in both English and Spanish which disturbs the neighboring houses all times of the day and night. Deputy Mayor Farino will recommend to Wal-Mart to remove audio on rear of the building and the one on Airport Road along with the flashing lights. If Wal-Mart doesn't comply, we can have the ordinance remove the audio.

Mr. Hayes moved to adjourn the Regular Meeting at 9:10 pm, which was seconded by Mrs. Mora Dillon